IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO. 881 OF 2006

ICICI Securities Limited ..Petitioner
v/s.
The Assistant Commissioner of Income tax 3(2), Mumbai and another .. Respondents

Mr.J.D.Mistry i/by M/s.Kanga & Co. for the petitioner.

Mr.Ashok Kotangale with Mr.S.R.Chauhan and Mr.A.D.Nagarjun for the respondents.

CORAM : R.M. LODHA &
J.P.DEVADHAR, JJ.

DATED : 31ST MARCH, 2006.

P.C.

The counsel for the petitioner prays for withdrawal of the writ petition with liberty to the petitioner to prefer an appeal against the assessment order dated 28th February, 2006. He submits that the respondent No.1 be restrained from recovering the tax pursuant to the assessment order dated 28th February, 2006 by having recourse to the coercive process until disposal of appeal.

2. Writ petition is dismissed as withdrawn. However, we direct that until disposal of appeal and for a period of four weeks from

the date of service of the order in appeal, the respondent No.1 shall not initiate any coercive process of recovery of tax dues pursuant to the order dated 28th February, 2006.

(R.M.LODHA, J.)

(J.P.DEVADHAR, J.)